

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,
Plaintiff

v.

ROBERT HAAG and
KATHLEEN HAAG,
Defendants

)
)
)
) CIVIL ACTION
) NO. 02-12490-REK
)
)

ROBERT HAAG and
KATHLEEN HAAG,
Plaintiffs

v.

INTERNAL REVENUE SERVICE and
UNITED STATES OF AMERICA,
Defendants

)
)
)
) CIVIL ACTION
) NO. 04-12344-REK
)
)
)

ORDER

YOUNG, D.J.

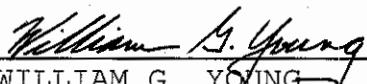
July 17, 2006

On careful review of the record of these consolidated cases, including the transcript of the motion hearing before Judge Keeton on December 15, 2005, the Judgment ordered by Judge Keeton on January 3, 2006, and Judge Keeton's Memorandum and Order of March 3, 2006, the Court is satisfied that Judge Keeton partially allowed the United States' Motion for Summary Judgment [Doc. No. 34] to the extent that Judge Keeton entered Judgment in favor of the government on the government's claim for unpaid federal income taxes for the years 1985 through 1991 and 1993, thereby closing the government's case against the Haags, Civil Action No.

02-12490. It is the understanding of this Court that Judge Keeton declined to rule on the portion of the United States' Motion for Summary Judgment that requested summary judgment in favor of the government on Count II of the Haags' amended complaint in Civil Action No. 04-12344. This Court also recognizes that Judge Keeton declined to rule on the United States' Motion to Dismiss Counts I, III and IV of the Amended Complaint [Doc. No. 30].

Thus, the United States' Motion to Dismiss is still pending, as is the portion of the United States' Motion for Summary Judgment that addresses Count II of the Haags' amended complaint. In light of these circumstances, the parties are directed to brief the issue of notice as related to Count II of the Haags' amended complaint. The parties' briefs are due no later than July 24, 2006. At the motion hearing on July 31, 2006, the parties shall be prepared to argue (i) the United States' Motion to Dismiss Counts I, III, and IV of the Amended Complaint [Doc. No. 30]; (ii) the United States' Motion for Summary Judgment as to Count II [Doc. No. 34]; (iii) Plaintiffs' Motion to Disqualify Counsel [Doc. No. 53]; and (iv) Plaintiffs' Motion to Compel Settlement Agreement [Doc. No. 57].

SO ORDERED.



WILLIAM G. YOUNG
DISTRICT JUDGE